

# PCT

## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

REC'D 26 FEB 2002

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Applicant's or agent's file reference 604.09-PCT	<b>FOR FURTHER ACTION</b> See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/US99/23822	International filing date (day/month/year) 12 OCTOBER 1999	Priority date (day/month/year) NONE
International Patent Classification (IPC) or national classification and IPC IPC(7): G06F 15/00 and US Cl.: 709/204, 205, 206, 227, 229; 705/10, 12, 14		
Applicant MINDARROW SYSTEMS, INC.		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 5 sheets.

☒ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority. (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of 2 sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of report with regard to novelty, inventive step or industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☒ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand 17 AUGUST 2000	Date of completion of this report 11 FEBRUARY 2002
Name and mailing address of the IPEA/US Commissioner of Patents and Trademarks Box PCT Washington, D.C. 20231	Authorized officer MARK RINEHART <i>James R. Matthews</i> 7M
Facsimile No. (703) 305-3230	Telephone No. 703-305-9600

**I. Basis of the report****1. With regard to the elements of the international application:\***

- ☐ the international application as originally filed
- ☒ the description:  
pages (See Attached) \_\_\_\_\_, as originally filed  
pages \_\_\_\_\_, filed with the demand  
pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_
- ☒ the claims:  
pages (See Attached) \_\_\_\_\_, as originally filed  
pages \_\_\_\_\_, as amended (together with any statement) under Article 19  
pages \_\_\_\_\_, filed with the demand  
pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_
- ☒ the drawings:  
pages (See Attached) \_\_\_\_\_, as originally filed  
pages \_\_\_\_\_, filed with the demand  
pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_
- ☒ the sequence listing part of the  
description: (See Attached) \_\_\_\_\_, as originally filed  
pages \_\_\_\_\_, filed with the demand  
pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_

**2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.**

These elements were available or furnished to this Authority in the following language \_\_\_\_\_ which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rules 55.2 and/or 55.3).

**3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international**

- ☐ contained in the international application in printed form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

**4. ☒ The amendments have resulted in the cancellation of:**

- ☒ the description, pages NONE
- ☒ the claims, Nos. NONE
- ☒ the drawings, sheets/fig NONE

**5. ☐ This report has been drawn as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).\*\***

\* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17).

\*\*Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

# INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/US99/23822

## V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

### 1. statement

Novelty (N)

Claims 1-14 YES

Claims NONE NO

Inventive Step (IS)

Claims 1-14 YES

Claims NONE NO

Industrial Applicability (IA)

Claims 1-14 YES

Claims NONE NO

### 2. citations and explanations (Rule 70.7)

Claims 1-14, as amended, meet the criteria set out in PCT Article 33(2)-(4), because the prior art does not teach or fairly suggest the inclusion of embedded computer audio/video content file(s) combined with a user interface within a self contained electronic commercial formatted as an electronic mail interpreted independently of a network browser, resulting in electronic delivery, interpretation, execution, and interaction with the electronic commercial, user interface, by network end user(s).

NEW CITATIONS

NONE

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

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**VII. Certain defects in the international application**

The following defects in the form or contents of the international application have been noted:

The description is objected to as containing the following defect(s) under PCT Rule 66.2(a)(iii) in the form or contents thereof:

The specification is missing serial numbers of related applications on Page 4. Three (3) serial numbers are missing from the text of the specification.

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**Supplemental Box**

(To be used when the space in any of the preceding boxes is not sufficient)

Continuation of: Boxes I - VIII

Sheet 10

**I. BASIS OF REPORT:**

This report has been drawn on the basis of the description,  
page(s) 1-13, as originally filed.  
page(s) NONE, filed with the demand.  
and additional amendments:  
NONE

This report has been drawn on the basis of the claims,  
page(s) NONE, as originally filed.  
page(s) 14-15, as amended under Article 19.  
page(s) NONE, filed with the demand.  
and additional amendments:  
NONE

This report has been drawn on the basis of the drawings,  
page(s) 1-4, as originally filed.  
page(s) NONE, filed with the demand.  
and additional amendments:

This report has been drawn on the basis of the sequence listing part of the description:  
page(s) NONE, as originally filed.  
pages(s) NONE, filed with the demand.  
and additional amendments:  
NONE

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## PCT REQUEST

Original (for SUBMISSION) - printed on 12.10.1999 03:48:48 PM

604.09-PCT

10/088333

0	<b>For receiving Office use only</b>	
0-1	International Application No.	
0-2	International Filing Date	
0-3	Name of receiving Office and "PCT International Application"	
0-4	Form - PCT/RO/101 PCT Request	
0-4-1	Prepared using	PCT-EASY Version 2.84 (updated 01.07.1999)
0-5	Petition The undersigned requests that the present international application be processed according to the Patent Cooperation Treaty	
0-6	Receiving Office (specified by the applicant)	United States Patent and Trademark Office (USPTO) (RO/US)
0-7	Applicant's or agent's file reference	604.09-PCT
I	Title of invention	MULTI-PAGE EXECUTABLE COMMERCIALS
II	Applicant	
II-1	This person is:	applicant only
II-2	Applicant for	all designated States except US
II-4	Name	ECOMMERCIAL.COM, INC.
II-5	Address:	95 Enterprise Suite 360 Aliso Viejo, CA 92656 United States of America
II-6	State of nationality	US
II-7	State of residence	US
II-8	Telephone No.	949-916-8705
II-9	Facsimile No.	949-916-8713
III-1	Applicant and/or inventor	
III-1-1	This person is:	applicant and inventor
III-1-2	Applicant for	US only
III-1-4	Name (LAST, First)	MCEWAN, Rick
III-1-5	Address:	eCommercial.com, Inc. 95 Enterprise Suite 360 Aliso Viejo, CA 92656 United States of America
III-1-6	State of nationality	US
III-1-7	State of residence	US

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III-2	<b>Applicant and/or inventor</b>	
III-2-1	This person is:	applicant and inventor
III-2-2	Applicant for	US only
III-2-4	Name (LAST, First)	BRIOLA, Michael
III-2-5	Address:	eCommercial.com, Inc. 95 Enterprise Suite 360 Aliso Viejo, CA 92656 United States of America
III-2-6	State of nationality	US
III-2-7	State of residence	US
IV-1	<b>Agent or common representative; or address for correspondence</b> The person identified below is hereby/has been appointed to act on behalf of the applicant(s) before the competent International Authorities as:	agent
IV-1-1	Name (LAST, First)	FISH, Robert
IV-1-2	Address:	Crockett & Fish 1440 N. Harbor Blvd. Suite 706 Fullerton, CA 92656 United States of America
IV-1-3	Telephone No.	714-449-2337
IV-1-4	Facsimile No.	714-449-2339
IV-1-5	e-mail	rdfish@crockett-fish.com
V	<b>Designation of States</b>	
V-1	Regional Patent (other kinds of protection or treatment, if any, are specified between parentheses after the designation(s) concerned)	AP: GH GM KE LS MW SD SL SZ UG ZW and any other State which is a Contracting State of the Harare Protocol and of the PCT EA: AM AZ BY KG KZ MD RU TJ TM and any other State which is a Contracting State of the Eurasian Patent Convention and of the PCT EP: AT BE CH&LI CY DE DK ES FI FR GB GR IE IT LU MC NL PT SE and any other State which is a Contracting State of the European Patent Convention and of the PCT OA: BF BJ CF CG CI CM GA GN GW ML MR NE SN TD TG and any other State which is a member State of OAPI and a Contracting State of the PCT

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V-2	National Patent (other kinds of protection or treatment, if any, are specified between parentheses after the designation(s) concerned)	AE AL AM AT (patent and utility model) AU AZ BA BB BG BR BY CA CH&LI CN CR CU CZ (patent and utility model) DE (patent and utility model) DK (patent and utility model) DM EE (patent and utility model) ES FI (patent and utility model) GB GD GE GH GM HR HU ID IL IN IS JP KE KG KP KR KZ LC LK LR LS LT LU LV MD MG MK MN MW MX NO NZ PL PT RO RU SD SE SG SI SK (patent and utility model) SL TJ TM TR TT TZ UA UG US UZ VN YU ZA ZW	
V-5	Precautionary Designation Statement In addition to the designations made under items V-1, V-2 and V-3, the applicant also makes under Rule 4.9(b) all designations which would be permitted under the PCT except any designation(s) of the State(s) indicated under item V-6 below. The applicant declares that those additional designations are subject to confirmation and that any designation which is not confirmed before the expiration of 15 months from the priority date is to be regarded as withdrawn by the applicant at the expiration of that time limit.		
V-6	Exclusion(s) from precautionary designations	NONE	
VI	Priority claim	NONE	
VII-1	International Searching Authority Chosen	United States Patent and Trademark Office (USPTO) (ISA/US)	
VIII	Check list	number of sheets	electronic file(s) attached
VIII-1	Request	4	-
VIII-2	Description	14	-
VIII-3	Claims	2	-
VIII-4	Abstract	1	abstract.txt
VIII-5	Drawings	3	-
VIII-7	TOTAL	24	
VIII-8	Accompanying items	paper document(s) attached	electronic file(s) attached
VIII-8	Fee calculation sheet	✓	-
VIII-16	PCT-EASY diskette	-	diskette
VIII-17	Other (specified):	Return Receipt Postcard	-
VIII-18	Figure of the drawings which should accompany the abstract		
VIII-19	Language of filing of the international application	English	



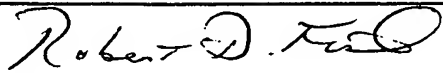
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IX-1	Signature of applicant or agent	
IX-1-1	Name (LAST, First)	FISH, Robert

## FOR RECEIVING OFFICE USE ONLY

10-1	Date of actual receipt of the purported international application	
10-2	Drawings:	
10-2-1	Received	
10-2-2	Not received	
10-3	Corrected date of actual receipt due to later but timely received papers or drawings completing the purported international application	
10-4	Date of timely receipt of the required corrections under PCT Article 11(2)	
10-5	International Searching Authority	ISA/US
10-6	Transmittal of search copy delayed until search fee is paid	

## FOR INTERNATIONAL BUREAU USE ONLY

11-1	Date of receipt of the record copy by the International Bureau	
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## PCT (ANNEX - FEE CALCULATION SHEET)

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(This sheet is not part of and does not count as a sheet of the international application)

0	For receiving Office use only	
0-1	International Application No.	
0-2	Date stamp of the receiving Office	
0-4	Form - PCT/RO/101 (Annex) PCT Fee Calculation Sheet Prepared using	PCT-EASY Version 2.84 (updated 01.07.1999)
0-9	Applicant's or agent's file reference	604.09-PCT
2	Applicant	ECOMMERCIAL.COM, INC., et al.
12	Calculation of prescribed fees	fee amount/multiplier      total amounts (USD)
12-1	Transmittal fee T	⇒ 240
12-2	Search fee S	⇒ 700
12-3	International fee Basic fee (first 30 sheets) b1	455
12-4	Remaining sheets	0
12-5	Additional amount (X)	10
12-6	Total additional amount b2	0
12-7	b1 + b2 = B	455
12-8	Designation fees Number of designations contained in international application	82
12-9	Number of designation fees payable (maximum 10)	10
12-10	Amount of designation fee (X)	105
12-11	Total designation fees D	1,050
12-12	PCT-EASY fee reduction R	-140
12-13	Total International fee (B+D-R) I	⇒ 1,365
12-17	TOTAL FEES PAYABLE (T+S+I+P)	⇒ 2,305
12-19	Mode of payment	cheque
12-20	Deposit account Instructions The receiving Office:	United States Patent and Trademark Office (USPTO) (RO/US)
12-20-2	is hereby authorized to charge any deficiency or credit any over-payment in the total fees indicated above to my deposit account	✓ <i>Robert D. Fied</i>
12-20-3	is hereby authorized to charge the fee for preparation and transmittal of the priority document to the International Bureau of WIPO to my deposit account	✓ <i>R. L. D. Fied</i>
12-21	Deposit account No.	500341
12-22	Date	12 October 1999 (12.10.1999)

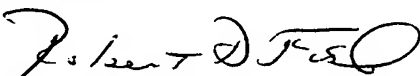
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**PCT (ANNEX - FEE CALCULATION SHEET)**

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12-23	Name and signature	FISH, Robert 
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**VALIDATION LOG AND REMARKS**

13-2-4	Validation messages Priority	Green? No priority of an earlier application has been claimed. Please verify
13-2-6	Validation messages Contents	Yellow! The power of attorney or a copy of the general power of attorney will need to be furnished unless all applicants sign the request form.
		Green? Figure of the drawings which should accompany the abstract not specified. Please verify.
13-2-7	Validation messages Fees	Green? Please confirm that fee schedule utilized is the latest available

## CLAIMS

What is claimed is:

1. An electronic commercial communicated to a recipient as part of an e-mail message, and residing locally on the recipient's computer, comprising a plurality of navigable pages that provide different content clips and a user interface.
2. The commercial of claim 1 wherein the commercial is a file attached to the e-mail message.
2. The commercial of claim 1 wherein the commercial is an executable file.
3. The commercial of claim 1 wherein at least two of the plurality of navigable pages contains a hyperlink to an Internet web site.
4. The commercial of claim 1 wherein at least two of the plurality of navigable pages contains a branding graphic.
5. The commercial of claim 1 wherein at least one of the pages includes a third party incentive.
6. The commercial of claim 1 further comprising a tab control that the recipient can utilize in navigating among the plurality of navigable pages.
7. The commercial of claim 1 further comprising software that downloads additional navigable pages while the recipient is viewing at least one of the plurality of navigable pages.
8. The commercial of claim 1 wherein at least one of the plurality of navigable pages includes a provision for locally securing an order from the recipient, and transmitting the order to a distant server for processing.
9. The commercial of claim 1 wherein at least one of the plurality of navigable pages contains an interface with which the recipient can opt into a mailing list.
10. The commercial of claim 1 wherein at least one of the plurality of navigable pages contains an interface with which the recipient can register to vote.

11. The commercial of claim 1 wherein at least one of the plurality of navigable pages contains an interface with which the recipient can vote.
12. The commercial of claim 1 wherein at least one of the plurality of navigable pages is directed to a different topic from another one of the plurality of navigable pages.
13. The commercial of claim 1 wherein at least one of the plurality of navigable pages provides an interface for ordering a customized net-deck based upon the recipient's selecting a plurality of items from a list.